

REMARKS

Claims 1-5 are pending. No claims have been added. No claims have been amended. No claims have been cancelled. In view of the following remarks, withdrawal of the outstanding rejections and allowance of the pending claims is respectfully requested.

35 USC §102

Claims 1, 2, and 4 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 3,632,995 to Wilson. This rejection is traversed.

Claim 1 recites “[a] sheet comprising top, bottom, left, and right facial portions and edges, a single respective fluid-based marking being positioned on at least one facial portion and edge”.

A fundamental aspect of MPEP §2111.01 is that during examination plain meaning is given to a claimed term unless the specification provides meaning for the term, whereupon which the specification must be used to identify the meaning ascribed to the term by the inventor. Note that the language of claim 1 expressly differentiates a sheet’s “facial portions” from “edges”. This differentiation is clearly depicted in Figs. 1 and 2 of the subject application. Fig. 2 is reproduced below for purposes of discussion.

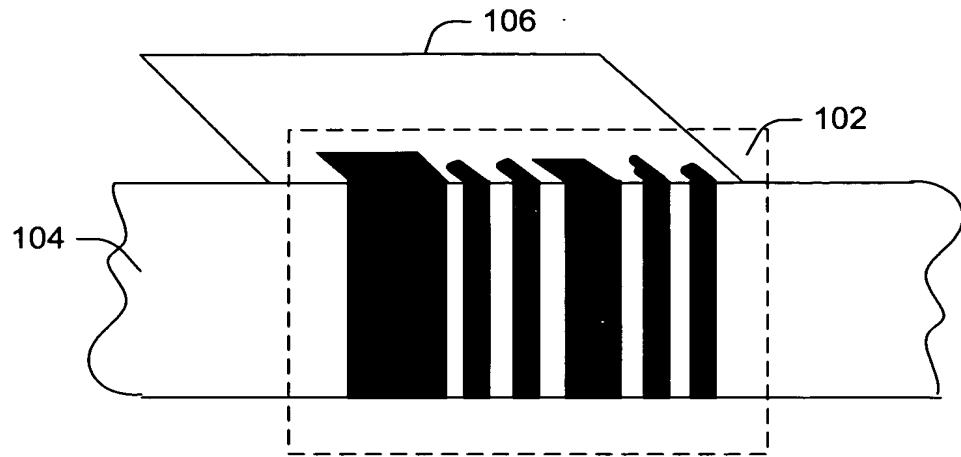


Fig. 2

Referring to Fig. 2, the specification describes at page 5, line 25 through page 6, line 6, that markings 102 are imprinted both on an edge 104 and a corresponding face 106 of the print media. As plainly shown, edge 104 does not lie on the same plane as a facial portion 106. Rather, “edges” are positioned at substantially perpendicular orientation to the “facial portions” of “a sheet”. Thus, although an edge 104 is adjacent to a face 106, a sheet’s edge 104 is not located on the “facial portion” 106. It is on these two orthogonal aspects of “a sheet”, an edge and a facial portion, that “a marking” 102 is imprinted. (See, also Figs. 2-4, and 8 of the subject application).

To anticipate a claim the reference must describe each and every element of the claim. Wilson does not describe each and every element of claim 1. In particular, Wilson describes imprinting information only on a coupon’s face, not on “on at least one facial portion and edge” as recited by claim 1 and as provided with clear meaning in the subject patent application’s specification. In particular, even though Wilson uses the term “edge”, Wilson

1 consistently uses the term “edge” to refer to the face of a coupon, which is
2 contrary to how the term is used in claim 1.

3 For example, Wilson, at col. 4, lines 17-24, expressly states that
4 “[p]rinted information is applied to the face of the coupon in the areas
5 generally indicated by the numerals 42 and 44”. Fig. 1 of Wilson shows that
6 areas 42 and 44 are positioned on the coupon’s face, not on an “edge” as the
7 term is defined in the subject patent application. Additionally, referring to col.
8 4, lines 53-70, Wilson states that “[a]long either *edge* of the coupon there is
9 provided a code track 48. The code tracks are identical, but run from opposite
10 ends of the coupons.” (Emphasis added). Wilson clearly depicts in Fig. 1 that
11 the “code tracks” are located on the face of the coupon. Thus, when Wilson
12 uses the word “*edge*”, Wilson is identifying a margin on the coupon’s face.
13 This is not the way that the term “edge” is defined in the subject patent
14 application.

15 Moreover, Wilson describes at col. 4, lines 53-70, that “the coupon is
16 provided along its shorter *edges* with human readable or machine-readable
17 numeric or alphanumeric or symbol information 65”. (Emphasis added).
18 Fig. 1 of Wilson clearly shows that information 65 is on the face of the coupon
19 (i.e., at margins of 42 and 44). Wilson goes on to further state that “[t]his
20 information is provided at both ends of the coupon, so that the coupon can be
21 read by a human or by machine in either direction, just as the coupon can be
22 read by machine along either *edge*. Fig. 1 should be rotated 90⁰ clockwise for a
23 full understanding of the human-readable information track 65.” (Emphasis
24 added). Again, as expressly described and as clearly depicted in Fig. 1, when
25 Wilson uses the word “*edge*”, Wilson is referring to an area on the coupon’s
face, and when Wilson refers to a “*shorter edge*” Wilson refers to either top or
bottom marginal areas located on the face of the coupon. This is not how the

1 term “edge” is defined in the subject patent application and used in the claim 1,
2 wherein an edge 104 is not located on a “facial portion”, and in fact does not
3 even lie on the same plane as a facial portion 106.

4 For each of the above reasons, Wilson is completely silent with respect
5 to “[a] sheet comprising top, bottom, left, and right facial portions and edges, a
6 single respective fluid-based marking being positioned on at least one facial
7 portion and edge”, as recited in claim 1. Accordingly, Wilson does not
8 anticipate claim 1 and the corresponding 35 USC §102(b) rejection of claim 1
9 is improper and should be withdrawn.

10 **Claims 2 and 4** depend from claim 1 and are patentable over Wilson by
11 virtue of this dependency. For this reason alone, the corresponding 35 USC
12 §102(b) rejection of claims 2 and 4 should be withdrawn. Moreover, claims 2
13 and 4 include additional features that are not anticipated by Wilson.

14 For example, claim 2 recites “wherein a single respective fluid-based
15 marking is positioned on each facial portion and edge”. Since Wilson is
16 completely silent with respect to any information printed on both an edge and a
17 facial portion as the terms are used in the subject patent application, a coupon
18 of Wilson may never have “a single respective fluid-based marking is
19 positioned on each facial portion and edge”, as recited by claim 1. For this
20 additional reason, Wilson does not anticipate claim 2 and the 35 USC §102
21 rejection of claim 2 should be withdrawn.

22
23 Claims 1-4 stand rejected under 35 USC §102(b) as being anticipated by
24 U.S. Patent No. 5,984,193 to Uhling. This rejection is traversed.

25 **Claim 1** recites “[a] sheet comprising top, bottom, left, and right facial
portions and edges, a single respective fluid-based marking being positioned on
at least one facial portion and edge”.

1 To anticipate a claim the reference must describe each and every
2 element of the claim, and Uhling does not describe each and every element of
3 claim 1 for the following reasons.

4 In addressing claim 1, the Action points to Figs. 1 and 4 of Uhling, and
5 col. 1, lines 45-50, wherein Uhling describes in part “[t]he lines of the bar code
6 on the paper must be oriented perpendicular to the feed axis for use with a
7 fixed sensor. In other printers, the sensor is mounted on the carriage, so that it
8 may perform other functions such as media edge detection and ink registration
9 procedures.” Fig. 1 of Uhling shows a view of a media sheet as received by a
10 printer. The media sheet is depicted with a bar code on the face of the sheet.
11 Fig. 4 of Uhling depicts a bar code being adhered to a margin on the face of the
12 media sheet. For each of the reasons discussed above, Uhling’s bar code that is
13 adhered to the face of a media sheet is not “positioned on at least one facial
14 portion and edge”, as recited in claim 1, and as the term “edge” is defined in
15 the subject patent application.

16 Additionally, “media edge detection” and “ink registration” do not
17 describe the features of claim 1. Rather, media edge detection techniques are
18 typically used to address media alignment issues in printing devices.
19 Furthermore, ink registration is a term that generally addresses the accuracy at
20 which ink is placed onto print media. Thus, Uhling’s “media edge detection”
21 and “ink registration” do not describe “[a] sheet comprising top, bottom, left,
22 and right facial portions and edges, a single respective fluid-based marking
23 being positioned on at least one facial portion and edge”, as recited by claim 1.

24 Referring to Uhling at col. 2, lines 20-60, Uhling describes “a fixed
25 sensor 30b is positioned near the edge of the media path, and overhangs the
media to read a barcode along the side edge of the media.” Uhling further
states that “the media sheet 12 is encoded with a pattern 32 that may be

1 detected by either type of sensor [...]. The pattern is an elongated strip that
2 extends along the leading edge of the sheet. In alternative implementations, the
3 pattern may be imprinted on some or all sheet edges, on one or both faces of
4 the sheet, or at selected marginal positions on the sheet, such as at the corners.”
5 To anticipate a claim the reference must describe each and every element of the
6 claim. It is respectfully submitted that this description of Uhling does not
7 describe “[a] sheet comprising top, bottom, left, and right facial portions and
8 edges, a single respective fluid-based marking being positioned on at least one
9 facial portion and edge” as recited by claim 1 for the following reasons.

10 Nowhere does Uhling provide a definition for “edge” other than to use
11 the term to describe a location on the face of print media. For example, Uhling
12 expressly states that “the pattern [32] is an elongated strip that extends along
13 the leading edge of the sheet”. Fig. 1 of Uhling clearly shows pattern 32
14 positioned on the margin of the sheet’s 12 face area. Additionally, Uhling at
15 col. 4, lines 9-10, Fig. 4 shows the media 12 is a transparency with the
16 patterned strip 34 *adhered at one edge*.” (Emphasis added). Again, note that
17 when Uhling uses the term “edge”, Uhling refers to a margin on the face of
18 print media 12.

19 For each of the above reasons, a system of Uhling may never have “a
20 single respective fluid-based marking being positioned on at least one facial
21 portion and edge”, as recited by claim 1. Accordingly, Uhling does not
22 anticipate the features of claim 1 and the corresponding 35 §102(b) rejection
23 should be withdrawn.

24 **Claims 2-4** depend from claim 1 and are patentable over Uhling by
25 virtue of this dependency. For this reason alone, the corresponding 35 USC
§102(b) rejection of claims 2-4 are improper and should be withdrawn.

1 Moreover, claims 2-4 include additional features that are not anticipated by
2 Uhling.

3 For example, claim 2 recites “wherein a single respective fluid-based
4 marking is positioned on each facial portion and edge”. As already discussed,
5 Uhling is completely silent with respect to imprinting anything on an edge as
6 the term is used in the subject patent application. Thus, a print sheet of Uhling
7 may never have “a single respective fluid-based marking is positioned on each
8 facial portion and edge”, as recited by claim 1. For this additional reason,
9 Uhling does not anticipate claim 2 and the 35 USC §102 rejection of claim 2
10 should be withdrawn.

11 Moreover, claim 3 recites “[a] sheet as recited in claim 1, wherein the
12 single respective fluid-based marking was imprinted on an edge of the sheet
13 and not imprinted on a corresponding facial portion of the sheet, the fluid-
14 based marking having bled onto the corresponding facial portion.” Since
15 Uhling only adheres bar codes on the face of a print sheet, often using the term
16 “edge” to define a bar code adhered to a margin on the face of the sheet, Uhling
17 does not describe these recited features of claim 3.

18 For this additional reason, Uhling does not anticipate claim 3 and the
19 corresponding 35 USC §102 rejection of claim 3 should be withdrawn.
20

21 35 USC §103

22 Claim 5 stands rejected under 35 USC §103(a) as being unpatentable
23 over Uhling in view of U.S. Patent No. 6,037,042 to Kato et al (hereinafter
24 referred to as “Kato”). This rejection is traversed.

25 For the reasons discussed above, Uhling does not teach or suggest the
features of claim 1, from which claim 5 depends. Kato is relied on secondarily
for the teaching of the use of more than a single sheet of print media. This

1 teaching does not cure the above described deficiencies of Uhling. For these
2 reasons, the 35 USC §103(a) rejection of claim 5 in view of the cited
3 combination is improper and should be withdrawn.
4

5 **Conclusion**

6 Pending claims 1-5 are in condition for allowance and action to that end
7 is respectfully requested. If any questions remain that prevent issuance of this
8 application, the office is invited to contact the undersigned.
9

10 Respectfully Submitted,

11
12 Dated: 01/02/2003

13 By: 

14 Brian G. Hart
15 Reg. No. 44,421
16 (509) 324-9256
17
18
19
20
21
22
23
24
25